EXAMINER'S AMENDMENT

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 09 April 2009 has been entered.

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Michael Oleinik on 19 June 2009.

The application has been amended as follows:

In the claims:

1-22. (Canceled)

23. (Previously presented) A method for transmitting a data frame having a header portion and a data portion from a mobile station to a base station, the method comprising:

assigning a first field of the header portion to indicate whether the data frame has a request of a time resource while data included in the data portion is transmitted simultaneously with the request, wherein the first field has a first logic value when the data frame has the request of the time resource;

assigning a second field of the header portion to identify an amount of the time resource requested when the first field has the first logic value;

assigning a third field of the header portion to contain a priority parameter representing control information related to at least one of a fragmentation and a retransmission; and

transmitting the data frame at one transmission interval to the base station.

24-26. (Canceled)

27. (Previously presented) A station operable within a wireless communication system, the station comprising:

a data frame generator configured to form a data frame, the data frame comprising a header portion and a data portion wherein the header portion further comprises

a first field to indicate whether the data frame has a time resource request while data included in the data portion is transmitted simultaneously with the time resource request, the first field having a first logic value when the data frame has the request of the time resource;

a second field to identify an amount of the time resource requested when the first field has the first logic value;

a third field to contain a priority parameter representing control information related to at least one of a fragmentation and a retransmission; and

a transmitter for transmitting the data frame at one transmission interval to a base station.

28-39. (Canceled)

40. (Previously presented) A method of transmitting data from a mobile station to a network in a wireless communication system, the method comprising:

transmitting a data frame comprising a time resource request and data at a first transmission interval, the data frame comprising a header portion and a data portion, wherein the header portion has at least

a first field having a first logic value to indicate to the network that the data frame has the time resource request while the data is transmitted simultaneously with the time resource request,

a second field to identify an amount of time resource required when the first field has the first logic value, and

a third field to contain a priority parameter representing control information related to at least one of a fragmentation and a retransmission;

receiving a time resource allocation responsive to the time resource request; and

transmitting the data frame within the allocated time resource at a second transmission interval.

41-42. (Canceled)

43. (Previously presented) A method of transmitting data in a wireless communication system, the method comprising:

forming a data frame in a mobile station having a header portion and a data portion, wherein the header portion has at least

a first field to indicate to a network whether the data frame has a time resource request while the data included in the data portion is transmitted simultaneously with the time resource request, the first field having a first logic value when the data frame has the time resource request,

a second field to identify an amount of time resource required when the first field has the first logic value, and

a third field to contain a priority parameter representing control information related to at least one of a fragmentation and a retransmission;

transmitting the data frame at a first transmission interval to the network;

allocating, by the network, the time resource responsive to the time resource request;

receiving an indication at the mobile station of the allocated time resource; and

transmitting the data frame from the mobile station to the network at a second transmission interval.

44-45. (Canceled)

46. (Currently amended) A method for transmitting a data frame from a mobile station to a network, the method comprising;

forming the data frame, wherein the data frame comprises a header portion and a data portion, and wherein the header portion further comprises

a first field to indicate to the network whether the data frame has a time resource request while data included in the data portion is transmitted simultaneously with the time resource request, the first field having a first logic value when the data frame has the time resource request,

a second field to identify an amount of time resource required when the first field has the first logic value, and

a third field to contain priority parameter representing control information related to at least one of a fragment and a retransmission; and

transmitting the data frame at one transmission interval to a base station.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHRISTINE DUONG whose telephone number is (571)270-1664. The examiner can normally be reached on Monday - Friday: 830 AM-6 PM EST with first Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema Rao can be reached on (571) 272-3174. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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